

ORDINANCE 13-04

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by IC 36-4-3; and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in Exhibit “A” and Exhibit “B” (the “Annexation Area”) have filed a petition with the Council; and,

WHEREAS, the Council has conducted a public hearing as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with IC 36-4-3-3.1 (Resolution 13-100); and,

WHEREAS, the Annexation Area meets the contiguity requirements of IC 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. The Annexation Area, generally located on the southwest corner of 186th Street and Kinsey Avenue and the area north of 191st Street and west of Tomlinson Road is hereby annexed to and declared to be a part of the City.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per IC 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to City Council District “3” and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2012.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

John Dippel

John Dippel

John Dippel

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE 13-04 was delivered to the Mayor of Westfield
on the _____ day of _____, 2012, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

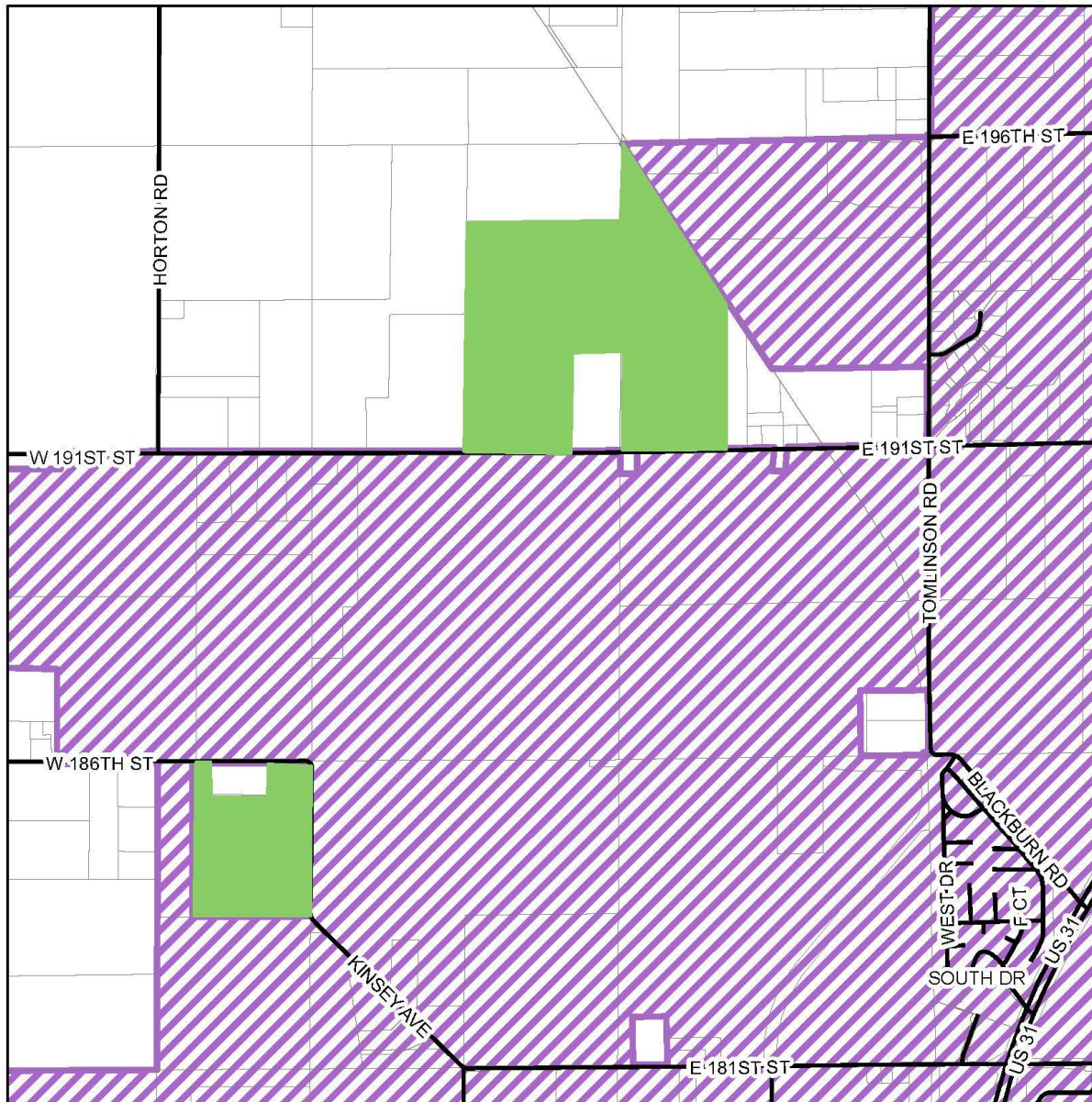
I hereby APPROVE Ordinance 13-04
this _____ day of _____, 2012.

J. Andrew Cook, Mayor





I hereby VETO Ordinance 13-04
this _____ day of _____, 2012.

J. Andrew Cook, Mayor

EXHIBIT A: PARCEL LOCATION MAP



Legend

- | | |
|---|---|
|  Parcels to be Annexed |  Parcels |
|  Existing City Limits |  Streets |

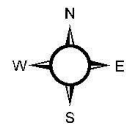


Exhibit "B"
Legal Descriptions of Property to be Annexed

Parcel # 08-05-35-00-00-003.000

Beginning at the NE ¼ of the NW ¼ in Section 35, Township 19 and Range 3 East

S 72-11-4 W Distance: 49.126 ft.

To point of beginning

Arc Length: 54.536

Chord Distance: 49.426

Chord Height: 9.881

S 0-14-42 W Distance: 1059.43 ft.

S 1-26-17 W Distance: 187.279 ft.

S 4-11-36 E Distance: 23.112 ft.

S 14-1-35 E Distance: 14.647 ft.

S 89-56-19 W Distance: 1006.001 ft.

N 0-3-22 E Distance: 1318.611 ft.

N 89-47-23 E Distance: 158.031 ft.

S 0-11-6 W Distance: 269.502 ft.

S 89-26-29 E Distance: 480.053 ft.

N 1-17-43 E Distance: 274.28 ft.

N 89-25-51 E Distance: 333.186 ft.

To the point of beginning containing 27.72 acres more or less.

Parcel #08-05-26-00-00-008.000 & 08-05-25-00-00-001.000

Beginning at the NE ¼ of the SE ¼ of Section 26 Township 19 Range 3 East

N 12-32-44 E Distance: 21.452 ft.

To the point of beginning

N 88-55-56 E Distance: 912.729 ft.

N 0-12-5 W Distance: 1277.558 ft.

N 33-33-6 W Distance: 1608.389 ft.

S 88-42-19 W Distance: 7.522 ft.

S 0-15-9 W Distance: 658.267 ft.

S 89-35-46 W Distance: 1327.523 ft.

S 0-13-49 W Distance: 1972.106 ft.

S 89-59-42 E Distance: 903.81 ft.

N 0-4-17 E Distance: 858.661 ft.

S 89-10-10 E Distance: 425.605 ft.

S 0-15-10 W Distance: 847.508 ft.

To the point of beginning containing 93.9 acres more or less.